

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 17608.9-D2647-54-ne	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/008430	International filing date (day/month/year) 28.07.2004	Priority date (day/month/year) 29.07.2003
International Patent Classification (IPC) or national classification and IPC H04Q7/24		
Applicant T-MOBILE DEUTSCHLAND GMBH		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 10 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 3-14 _____ as originally filed/furnished
- pages* 1, 2, 2a _____ received by this Authority on 06.06.2005 by fax
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-24 _____ received by this Authority on 06.06.2005 by fax
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/3-3/3 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-24	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-24	NO
Industrial applicability (IA)	Claims	1-24	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1 This report makes reference to the following documents:

D1: VILLAGE, WORRAL, CRAWFORD: "3G Shared Infrastructure" 3G MOBILE COMMUNICATION TECHNOLOGIES, CONFERENCE PUBLICATION NO. 489, 8 May 2002 (2002-05-08), - 10 May 2002 (2002-05-10) pages 10-16, XP002317359

D2: "Digital cellular telecommunications system (Phase 2+); Universal Mobile Telecommunications System (UMTS); Service aspects and requirements for network sharing (3GPP TR 22.951 Version 6.1.0 Release 6)" ETSI TECHNICAL REPORT, 1 March 2003 (2003-03-01), pages 1-20, XP002317360 SOPHIA ANTIPOLIS, FRANCE

2 The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1 and 20 does not involve an inventive step (PCT Article 33(3)).

Document D1 is considered the prior art closest to

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

the subject matter of claim 1 and discloses (the references between parentheses refer to that document):

- 2.1 a method for allowing a plurality of mobile radio providers to provide or share or jointly use a mobile radio access network, in which a single radio access network operated, for example, according to the UMTS, cdma2000 or GSM standard is jointly used by a plurality of mobile radio providers, in which, in order to distinguish the core networks of the different mobile radio providers, the identity of each network operator, the PLMN identity, is provided in the radio access network to the mobile user by transmitting more than one mobile radio operator identifier, PLMN identity, via a control channel, BCCH (page 14, left-hand column, lines 1-25).
- 2.2 The subject matter of claim 1 thus differs from that known from D1 in that:
more than one PLMN identity is transmitted in a mobile radio system operated according to the UMTS standard in the Master Information Block and/or in System Information Block 1, or in a mobile radio system operated according to the GSM standard via System Information Type 3.
- 2.3 The above features can therefore be considered to address the problem of transmitting the system information on suitable channels.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
2.4	<p>The solution proposed in claim 1 of the present application cannot be considered inventive (PCT Article 33(3)) for the following reasons: the features of claim 1 concern merely one of several obvious possibilities from which a person skilled in the art would choose according to the circumstances in order to solve the problem of interest, without thereby being inventive, since they concern merely the sensible allocation of the identities to be transmitted to a suitable channel.</p>
2.5	<p>The subject matter of independent claim 20 (arrangement) matches the subject matter of independent claim 1 and is therefore also non-inventive.</p>
3.	<p>Claims 2-19 and 21-24 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty and inventive step; see documents D1 and D2 and the relevant passages thereof indicated in the search report.</p>